



The **M**ichigan **A**ssociation for **M**arriage & **F**amily **T**herapy
Supporting Families in Michigan

April 27, 2010

MEMO

To: The House Judiciary Committee

From: Kathleen Burns-Jager, Ph.D., LMFT,
Legislative Chair, Michigan Association for Marriage & Family Therapy Board of Directors

RE: HB 5521 amending the Michigan Penal Code for CSC 3rd degree to include mental health professionals.

The Michigan Association for Marriage & Family Therapy (MAMFT) fully supports HB 5521 in that it is congruent with the American Association for Marriage & Family Therapy (AAMFT) Code of Professional Ethics (2001), that defines the standards for ethical practice and professional behavior for Marriage & Family Therapists (MFTs). This code of professional ethics is also cited in the Public Health Code for LMFTs in Michigan as part of the definition for the professional practice of marriage and family therapy.

Marriage & Family Therapy (MFT) is defined by the U.S. Department of Health & Human Services, Health Resources and Services Administration, as one of five core mental health professions.

The AAMFT (2001) Code of Ethics for the professional practice of MFT, is compatible with the specifications of HB 5521, stating the following in its subprinciples:

1.4 Sexual intimacy with clients is prohibited.

1.5 Sexual intimacy with former clients is likely to be harmful and is therefore prohibited for two years following the termination of therapy or last professional contact. In an effort to avoid exploiting the trust and dependency of clients, marriage and family therapists should not engage in sexual intimacy with former clients after the two years following termination or last professional contact. Should therapists engage in sexual intimacy with former clients following two years after termination or last professional contact, the burden shifts to the therapist to demonstrate that there has been no exploitation or injury to the former client or to the client's immediate family.

3.8 Marriage and family therapists do not engage in sexual or other forms of harassment of clients, students, trainees, supervisees, employees, colleagues, or research subjects.

3.9 Marriage and family therapists do not engage in the exploitation of clients, students, trainees, supervisees, employees, colleagues, or research subjects.

Again, on behalf of MAMFT, we fully support HB 5521 and urge your favorable consideration by reporting it out of committee and through the House.

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A division of the American Association for Marriage and Family Therapy